

**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawing includes a change in Fig. 20. This sheet, which includes Fig. 20, replaces the original sheet including Fig. 20. In Fig. 20, reference number “220” is replaced by --270--.

Attachments: Replacement Sheet  
Annotated Sheet Showing Changes

### **REMARKS/ARGUMENTS**

Applicant has reviewed and considered the Office Action dated November 16, 2005 and the cited references therein. In response thereto, the specification, drawing, and claims 1, 9, 17, 22, and 38 are amended. Claims 1-39 are pending in the present application.

#### **Objection to Drawings**

Figures 20, 23 and 24 are objected to because of some inconsistencies with the Specification. Figure 20 and the specification are now amended to overcome the objections.

#### **Objection to Specification**

The specification is objected to because of some informalities. The specification is now amended to overcome the objections.

#### **Rejections under 35 U.S.C. § 112**

Claims 1-8, and 22-29 were rejected under 35 U.S.C. § 112, first paragraph. Claims 1 and 22 are now amended to overcome the rejection.

Claims 17 and 38 were rejected under 35 U.S.C. § 112, second paragraph. Claims 17 and 38 are now amended to overcome the rejection.

#### **Rejection under 35 U.S.C. § 102**

Claims 1, 3, 22 and 24 were rejected under 35 U.S.C. § 102(a) as being anticipated by the 2000 Texas State Vehicle Fleet Management Plan from the Office of Vehicle Fleet Management (hereinafter referring to "Plan"). Applicant respectfully traverses the rejection for at least the following reasons.

Claim 1 recites a method of forming a consultative proposal comprising: generating a series of questions; receiving responses to the series of questions; calculating terms for portions of the consultative proposal based upon the responses received; combining the terms for portions of the consultative proposal with static information to form a completed consultative proposal; and presenting the consultative proposal.

Plan discloses a vehicle fleet management plan. More specifically, Plan discloses data collection and agency reporting requirements in which Office of Vehicle Fleet Management (OVFM) developed a list of fleet data reporting requirements to assist agencies and institutions in making accurate fleet management decisions and meeting requirements of the Texas Administrative Code (see page 12 and Appendix A). Plan fails to disclose or teach a method for forming a customized consultative proposal by generating a series of questions, receiving responses to the series of questions, calculating terms for portions of the consultative proposal based on the responses received, combining the terms for portions of the consultative proposal with static information to form a complete consultative proposal, and presenting the consultative proposal, as recited in claim 1. Not only Plan does not disclose or teach a method of forming a consultative proposal based on a series of questions/answers to/from a customer, integrated with static information to form a completed consultative proposal, but also Plan **teaches away** from the claimed invention by developing a list of fleet data reporting requirements for agencies to follow and submit a report therefrom. As described on page 12 of Plan, “OVFM will develop a **standardized** vehicle reporting log for agency use. Agencies and institutions that wish to use forms other than the standardized vehicle reporting log must submit a written request and copies of the proposed vehicle log to OVFM. The chief operating officer of an agency or institution unable to meet the reporting requirement will explain why it is unable to do so to the CCG and OVFM prior to the reporting deadline” (see page 12, the third and fourth paragraphs from the bottom). Accordingly, nowhere in Plan does it disclose or teach a customized or consultative proposal based on a series of questions/answers to/from a customer, integrated with static information to form a completed consultative proposal, as recited in claim 1. Thus, Applicant respectfully requests that claim 1 patentably distinguishes from Plan.

The remaining claims are either dependent from claim 1 or recite the similar features discussed above and thus are patentable over Plan.

Rejection under 35 U.S.C. § 103

Claims 2, 4-21, 23 and 25-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the 2000 Texas State Vehicle Fleet Management Plan.

Applicant respectfully submits that claims 2, 4-21, 23, and 25-39 are either dependent claims from claim 1 or recite the similar features discussed above, and therefore are patentable over Plan. In addition, Plan does not disclose or teach the other features, such as electronically generating and presenting the consultative proposal to the user in real time, as recited in claims 17 and 38. As discussed above, Plan teaches away from these features as it states, "Agencies and institutions that wish to use forms other than the standardized vehicle reporting log must submit a written request and copies of the proposed vehicle log to OVFM. The chief operating officer of an agency or institution unable to meet the reporting requirement will explain why it is unable to do so to the CCG and OVFM prior to the reporting deadline" (see page 12, the third and fourth paragraphs from the bottom). Thus, Applicant respectfully submits that claims 2, 4-21, 23, and 25-39 are patentable over Plan.

Conclusion


In view of the above, it is respectfully submitted that the present application is in condition for allowance. Reconsideration of the present application and a favorable response are respectfully requested.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at 612-752-7367.

Respectfully submitted,

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Customer Number 25763

Date: 12/20/2005

By:   
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Marked Up Drawing

FIG. 20

### Fuel Policy Cost Benefit Projection Analysis

The most effective way to quantify the savings from the GE Electronic Fuel Management Program is to itemize the various additional fuel expenses your fleet may be experiencing. The following analysis quantifies where a fleet could realize savings based on historical experience within the fleet industry.

270  
220  
←

#### Assumptions

<u>Vehicle Types</u>	<u>Number of Vehicles</u>	<u>Annual Miles per Vehicle</u>	<u>Miles Per Gallon</u>	<u>Gallons Per Fill</u>	<u>Price Per Gallon</u>	<u>Annual Fuel Cost</u>
Fullsize Car	10	25,000	18.3	15.2	\$1.55	\$21,174.86
Luxury Car	10	25,000	17.20	14.80	\$1.55	\$22,529.07
SUV	10	25,000	13.60	19.20	\$1.55	\$28,492.64

Total Number of Vehicles	30
Dollar Differential on Premium Fuel	\$0.18
Annual Gallons Purchased	46,578
<b>Total Annual Fuel Costs</b>	<b>\$72,196.58</b>

Control Item  
Unauthorized Fuel Purchases  
Unnecessary Premium Purchases  
"Other" Items (lunch, soda, etc.)  
Internal Receipt Process (per receipt)

#### Current Avg. Cost

3%  
20%  
5%  
\$0.15

#### Item Cost Per Year

(total annual fuel cost X unauthorized fuel)	\$2,165.90
(gallons X unnec. prem. X \$ diff. prem.)	\$1,676.82
(total annual fuel costs X other items)	\$3,609.83
(# of vehicles X fill-ups X int. rec. processing)	\$425.74

Potential Total Savings	\$7,878.29
Service Fee	\$720.00

**Potential Annual Net Savings      \$7,158**

These cost savings are estimates and may vary depending on your particular usage.